

ATTORNEY OR PARTY WITHOUT ATTORNEY (name and Address) LAWRENCE J. GORNICK (SBN 136290) LEVIN SIMES KAISER & GORNICK 44 MONTGOMERY STREET, SUITE 3600 SAN FRANCISCO, CA 94104 TELEPHONE NO.: (415) 646-7160 FAX NO. (Optional): (415) 981-1270 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): PLAINTIFFS		FOR COURT USE ONLY ENDORSED FILED SUPERIOR COURT COUNTY OF SAN FRANCISCO NOV 7 2007 GORDON PARK-LI, CLERK BY: _____ Deputy Clerk	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 MCALLISTER STREET MAILING ADDRESS: CITY AND ZIP CODE: SAN FRANCISCO, CA 94102 BRANCH NAME:		CASE NUMBER: CGC-07-468577	
PLAINTIFF/PETITIONER: PETER JAY GERBER and MIRIAM GOLDBERG DEFENDANT/RESPONDENT: BAYER CORPORATION and BAYER HEALTHCARE PHARMACEUTICALS, INC., et al.		Ref. No. or File No.: 3003606	
PROOF OF SERVICE OF SUMMONS			
DATE:	TIME:	DEPT:	

(Separate proof of service is required for each party server.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of :
 - a. ☒ summons
 - b. ☒ complaint
 - c. ☒ Alternative Dispute Resolution (ADR) package
 - d. ☐ Civil Case Cover Sheet (served in complex cases only)
 - e. ☐ cross-complaint
 - f. ☒ other (specify documents): NOTICE TO PLAINTIFF; (BLANK) CASE MANAGEMENT STATEMENT
3. a. Party served: (specify name of party as shown on documents served):
GE HEALTHCARE BIO-SCIENCES CORP.
 b. ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made)(specify name and relationship to the party named in item 3a): **MARGARET WILSON, PROCESS SPECIALIST, REGISTERED AGENT FOR SERVICE OF PROCESS ON BEHALF OF GE HEALTHCARE BIO-SCIENCES CORP.**
4. Address where the party was served:
818 WEST 7TH STREET, LOS ANGELES, CA 90017
5. I served the party (check proper box)
 - a. ☒ by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **10-26-07** (2) at (time): **2:45PM**
 - b. ☐ by substituted service. On (date): _____ at (time) _____. I left the documents listed in item 2 with or in the presence of (name and title or relationship to the person indicated in item 3b):
 - (1) ☐ (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) ☐ (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) ☐ (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served

at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on
(date): (city): or ☐ a declaration of mailing is attached.

(5) ☐ I attach a declaration of diligence stating actions taken first to attempt personal service.

c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,

(1) (date):

(2) (city):

(3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* (form 982(a)(4)) and a postage-paid return envelope addressed to me. (Attach completed Notice and Acknowledgement of Receipt (form 982(a)(4)).) (Code Civ. Proc., § 415.30.)

(4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)

d. ☐ by other means (specify means of service and authorizing code section):

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

a. ☐ as an individual defendant

b. ☐ as the person sued under the fictitious name of (specify):

c. ☐ as occupant

d. ☒ on behalf of (specify): **GE HEALTHCARE BIO-SCIENCES CORP.**

under the following Code of Civil Procedure section:

☐ 416.10 (corporation)

☒ 415.95 (business organization, form unknown)

☐ 416.20 (defunct corporation)

☐ 416.60 (minor)

☐ 416.30 (joint stock company/association)

☐ 416.70 (ward or conservatee)

☐ 416.40 (association or partnership)

☐ 416.90 (authorized person)

☐ 416.50 (public entity)

☐ 415.46 (occupant)

☐ other:

7. Person who served papers

a. Name: **CHRISTOPHER PONCE**

b. Address: **NATIONWIDE LEGAL, INC.**

1255 POST STREET, SUITE #500, SAN FRANCISCO, CA 94109

c. Telephone number: **(415) 351-0400**

d. The fee for service was: \$

e. I am:

(1) ☐ not a registered California process server.

(2) ☐ exempt from registration under Business and Professions Code section 22350(b).

(3) ☒ registered California process server:

(i) ☐ owner ☒ employee ☐ independent contractor

(ii) Registration No.: **5484**

(iii) County: **LOS ANGELES**


8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Or

9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: OCTOBER 26, 2007

CHRISTOPHER PONCE

Name of person who served papers/Sheriff or Marshal


(signature)

ATTORNEY OR PARTY WITHOUT ATTORNEY (name and Address) LAWRENCE J. GORNICK (SBN 136290) LEVIN SIMES KAISER & GORNICK 44 MONTGOMERY STREET, SUITE 3600 SAN FRANCISCO, CA 94104 TELEPHONE NO.: (415) 646-7160 FAX NO. (Optional): (415) 981-1270 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): PLAINTIFFS		FOR COURT USE ONLY ENDORSED FILED SUPERIOR COURT COUNTY OF SAN FRANCISCO NOV 7 2007 GORDON PARK-LI, CLERK BY: _____ Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 MCALLISTER STREET MAILING ADDRESS: CITY AND ZIP CODE: SAN FRANCISCO, CA 94102 BRANCH NAME:		CASE NUMBER: CGC-07-468577
PLAINTIFF/PETITIONER: PETER JAY GERBER and MIRIAM GOLDBERG DEFENDANT/RESPONDENT: BAYER CORPORATION and BAYER HEALTHCARE PHARMACEUTICALS, INC., et al.		Ref. No. or File No.: 3003612
PROOF OF SERVICE OF SUMMONS		
DATE:	TIME:	DEPT:

(Separate proof of service is required for each party server.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of :
 - a. ☒ summons
 - b. ☒ complaint
 - c. ☒ Alternative Dispute Resolution (ADR) package
 - d. ☐ Civil Case Cover Sheet (served in complex cases only)
 - e. ☐ cross-complaint
 - f. ☒ other (specify documents): NOTICE TO PLAINTIFF; (BLANK) CASE MANAGEMENT
- STATEMENT
3. a. Party served: (specify name of party as shown on documents served):
GENERAL ELECTRIC COMPANY
 b. ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made)(specify name and relationship to the party named in item 3a): **MARGARET WILSON, PROCESS SPECIALIST, REGISTERED AGENT FOR SERVICE OF PROCESS ON BEHALF OF GENERAL ELECTRIC COMPANY**
4. Address where the party was served:
818 WEST 7TH STREET, LOS ANGELES, CA 90017
5. I served the party (check proper box)
 - a. ☒ **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **10-26-07** (2) at (time): **2:45PM**
 - b. ☐ **by substituted service.** On (date): _____ at (time): _____ I left the documents listed in item 2 with or in the presence of (name and title or relationship to the person indicated in item 3b): _____
 - (1) ☐ **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) ☐ **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) ☐ **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served

at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on
 (date): (city): or ☐ a declaration of mailing is attached.

(5) ☐ I attach a declaration of diligence stating actions taken first to attempt personal service.

c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,

(1) (date):

(2) (city):

(3) ☐ with two copies of the Notice and Acknowledgment of Receipt (form 982(a)(4)) and a postage-paid return envelope addressed to me. (Attach completed Notice and Acknowledgment of Receipt (form 982(a)(4)).) (Code Civ. Proc., § 415.30.)

(4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)

d. ☐ by other means (specify means of service and authorizing code section):

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

a. ☐ as an individual defendant

b. ☐ as the person sued under the fictitious name of (specify):

c. ☐ as occupant

d. ☒ on behalf of (specify): **GENERAL ELECTRIC COMPANY**

under the following Code of Civil Procedure section:

☐ 416.10 (corporation)

☒ 415.95 (business organization, form unknown)

☐ 416.20 (defunct corporation)

☐ 416.60 (minor)

☐ 416.30 (joint stock company/association)

☐ 416.70 (ward or conservatee)

☐ 416.40 (association or partnership)

☐ 416.90 (authorized person)

☐ 416.50 (public entity)

☐ 415.46 (occupant)

☐ other:

7. Person who served papers

a. Name: **CHRISTOPHER PONCE**

b. Address: **NATIONWIDE LEGAL, INC.**

1255 POST STREET, SUITE #500, SAN FRANCISCO, CA 94109

c. Telephone number: **(415) 351-0400**

d. The fee for service was: \$

e. I am:

(1) ☐ not a registered California process server.

(2) ☐ exempt from registration under Business and Professions Code section 22350(b).

(3) ☒ registered California process server:

(i) ☐ owner ☒ employee ☐ independent contractor

(ii) Registration No.: **5484**

(iii) County: **LOS ANGELES**


8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
 Or

9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: **OCTOBER 26, 2007**

CHRISTOPHER PONCE

Name of person who served papers/Sheriff or Marshal


 (signature)

ATTORNEY OR PARTY WITHOUT ATTORNEY (name and Address) LAWRENCE J. GORNICK (SBN 136290) LEVIN SIMES KAISER & GORNICK 44 MONTGOMERY STREET, SUITE 3600 SAN FRANCISCO, CA 94104 TELEPHONE NO.: (415) 646-7160 FAX NO. (Optional): (415) 981-1270 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): PLAINTIFFS		FOR COURT USE ONLY ENDORSED FILED SUPERIOR COURT COUNTY OF SAN FRANCISCO NOV 7 2007 GORDON PARK-LI, CLERK BY: _____ Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 MCALLISTER STREET MAILING ADDRESS: CITY AND ZIP CODE: SAN FRANCISCO, CA 94102 BRANCH NAME:		CASE NUMBER: CGC-07-468577
PLAINTIFF/PETITIONER: PETER JAY GERBER and MIRIAM GOLDBERG DEFENDANT/RESPONDENT: BAYER CORPORATION and BAYER HEALTHCARE PHARMACEUTICALS, INC., et al.		Ref. No. or File No.: 3003610
PROOF OF SERVICE OF SUMMONS		
DATE:	TIME:	DEPT:

(Separate proof of service is required for each party server.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of :
 - a. ☒ summons
 - b. ☒ complaint
 - c. ☒ Alternative Dispute Resolution (ADR) package
 - d. ☐ Civil Case Cover Sheet (served in complex cases only)
 - e. ☐ cross-complaint
 - f. ☒ other (specify documents): NOTICE TO PLAINTIFF; (BLANK) CASE MANAGEMENT STATEMENT
3. a. Party served: (specify name of party as shown on documents served):
GE HEALTHCARE, INC.
 b. ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made)(specify name and relationship to the party named in item 3a): **MARGARET WILSON, PROCESS SPECIALIST, REGISTERED AGENT FOR SERVICE OF PROCESS ON BEHALF OF GE HEALTHCARE, INC.**
4. Address where the party was served:
818 WEST 7TH STREET, LOS ANGELES, CA 90017
5. I served the party (check proper box)
 - a. ☒ by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **10-26-07** (2) at (time): **2:45PM**
 - b. ☐ by substituted service. On (date): _____ at (time) _____ I left the documents listed in item 2 with or in the presence of (name and title or relationship to the person indicated in item 3b): _____
 - (1) ☐ (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) ☐ (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) ☐ (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on _____

(date):

(city):

or ☐ a declaration of mailing is attached.(5) ☐ I attach a declaration of diligence stating actions taken first to attempt personal service.c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,

(1) (date):

(2) (city):

(3) ☐ with two copies of the Notice and Acknowledgment of Receipt (form 982(a)(4)) and a postage-paid return envelope addressed to me. (Attach completed Notice and Acknowledgment of Receipt (form 982(a)(4)).) (Code Civ. Proc., § 415.30.)(4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)d. ☐ by other means (specify means of service and authorizing code section):☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

a. ☐ as an individual defendantb. ☐ as the person sued under the fictitious name of (specify):c. ☐ as occupantd. ☒ on behalf of (specify): **GE HEALTHCARE, INC.**

under the following Code of Civil Procedure section:

☐ 416.10 (corporation)☒ 415.95 (business organization, form unknown)☐ 416.20 (defunct corporation)☐ 416.60 (minor)☐ 416.30 (joint stock company/association)☐ 416.70 (ward or conservatee)☐ 416.40 (association or partnership)☐ 416.90 (authorized person)☐ 416.50 (public entity)☐ 415.46 (occupant)☐ other:

7. Person who served papers

a. Name: **CHRISTOPHER PONCE**b. Address: **NATIONWIDE LEGAL, INC.****1255 POST STREET, SUITE #500, SAN FRANCISCO, CA 94109**c. Telephone number: **(415) 351-0400**

d. The fee for service was: \$

e. I am:

(1) ☐ not a registered California process server.(2) ☐ exempt from registration under Business and Professions Code section 22350(b).(3) ☒ registered California process server:(i) ☐ owner ☒ employee ☐ independent contractor(ii) Registration No.: **5484**(iii) County: **LOS ANGELES**8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Or

9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.Date: **OCTOBER 26, 2007****CHRISTOPHER PONCE**

Name of person who served papers/Sheriff or Marshal


 (signature)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address) LAWRENCE J. GORNICK (SBN 136290) LEVIN SIMES KAISER & GORNICK 44 MONTGOMERY STREET, SUITE 3600 SAN FRANCISCO, CA 94104 TELEPHONE NO.: (415) 646-7160 FAX NO. (Optional): (415) 981-1270 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): PLAINTIFFS		FOR COURT USE ONLY ENDORSED FILED SUPERIOR COURT COUNTY OF SAN FRANCISCO NOV 7 2007 GORDON PARK-LI, CLERK BY: _____ Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 MCALLISTER STREET MAILING ADDRESS: CITY AND ZIP CODE: SAN FRANCISCO, CA 94102 BRANCH NAME:		CASE NUMBER: CGC-07-468577
PLAINTIFF/PETITIONER: PETER JAY GERBER and MIRIAM GOLDBERG DEFENDANT/RESPONDENT: BAYER CORPORATION and BAYER HEALTHCARE PHARMACEUTICALS, INC., et al.		Ref. No. or File No.: 3003613
PROOF OF SERVICE OF SUMMONS		
DATE:	TIME:	DEPT:

(Separate proof of service is required for each party server.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of :
 - a. ☒ summons
 - b. ☒ complaint
 - c. ☒ Alternative Dispute Resolution (ADR) package
 - d. ☐ Civil Case Cover Sheet (served in complex cases only)
 - e. ☐ cross-complaint
 - f. ☒ other (specify documents): NOTICE TO PLAINTIFF; (BLANK) CASE MANAGEMENT

STATEMENT

3. a. Party served: (specify name of party as shown on documents served):
MERRY X-RAY CHEMICAL CORP.
 b. ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made)(specify name and relationship to the party named in item 3a): **LARRY LAWSON, ACCEPTED SERVICE OF PROCESS ON BEHALF OF MERRY X-RAY CHEMICAL CORP.**
4. Address where the party was served: **4444 VIEWRIDGE AVENUE, SAN DIEGO, CA 92123**
5. I served the party (check proper box)
 - a. ☒ by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **10-26-07** (2) at (time): **3:50PM**
 - b. ☐ by substituted service. On (date): _____ at (time): _____ I left the documents listed in item 2 with or in the presence of (name and title or relationship to the person indicated in item 3b):
 - (1) ☐ (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) ☐ (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) ☐ (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): _____ (city): _____ or ☐ a declaration of mailing is attached.

(5) ☐ I attach a declaration of diligence stating actions taken first to attempt personal service.

c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,

(1) (date): (2) (city):

(3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* (form 982(a)(4)) and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt* (form 982(a)(4)).) (Code Civ. Proc., § 415.30.)

(4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)

d. ☐ by other means (specify means of service and authorizing code section):

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

a. ☐ as an individual defendant

b. ☐ as the person sued under the fictitious name of (specify):

c. ☐ as occupant

d. ☒ on behalf of (specify): **MERRY X-RAY CHEMICAL CORP.**

under the following Code of Civil Procedure section:

☐ 416.10 (corporation)

☒ 415.95 (business organization, form unknown)

☐ 416.20 (defunct corporation)

☐ 416.60 (minor)

☐ 416.30 (joint stock company/association)

☐ 416.70 (ward or conservatee)

☐ 416.40 (association or partnership)

☐ 416.90 (authorized person)

☐ 416.50 (public entity)

☐ 415.46 (occupant)

☐ other:

7. Person who served papers

a. Name: **KATHLEEN YOUNG**

b. Address: **NATIONWIDE LEGAL, INC.**

1255 POST STREET, SUITE #500, SAN FRANCISCO, CA 94109

c. Telephone number: **(415) 351-0400**

d. The fee for service was: \$

e. I am:

(1) ☐ not a registered California process server.

(2) ☐ exempt from registration under Business and Professions Code section 22350(b).

(3) ☒ registered California process server:

(i) ☐ owner ☒ employee ☐ independent contractor

(ii) Registration No.: **5484**

(iii) County: **SAN FRANCISCO**

8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

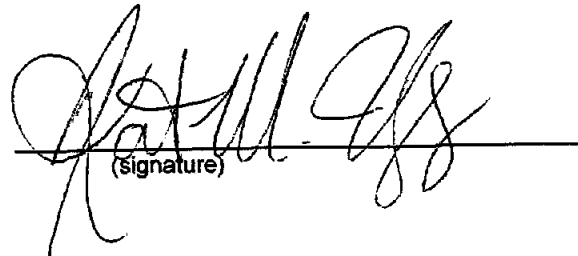
Or

9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: **OCTOBER 26, 2007**

KATHLEEN YOUNG

Name of person who served papers/Sheriff or Marshal


(signature)

ATTORNEY OR PARTY WITHOUT ATTORNEY (name and Address) LAWRENCE J. GORNICK (SBN 136290) LEVIN SIMES KAISER & GORNICK 44 MONTGOMERY STREET, SUITE 3600 SAN FRANCISCO, CA 94104 TELEPHONE NO.: (415) 646-7160 FAX NO. (Optional): (415) 981-1270 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): PLAINTIFFS		FOR COURT USE ONLY ENDORSED FILED SUPERIOR COURT COUNTY OF SAN FRANCISCO NOV 7 2007 GORDON PARK-LI, CLERK BY: _____ Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 MCALLISTER STREET MAILING ADDRESS: CITY AND ZIP CODE: SAN FRANCISCO, CA 94102 BRANCH NAME:		CASE NUMBER: CGC-07-468577
PLAINTIFF/PETITIONER: PETER JAY GERBER and MIRIAM GOLDBERG DEFENDANT/RESPONDENT: BAYER CORPORATION and BAYER HEALTHCARE PHARMACEUTICALS, INC., et al.		Ref. No. or File No.: 3003600
PROOF OF SERVICE OF SUMMONS		
DATE:	TIME:	DEPT:

(Separate proof of service is required for each party server.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
 - a. ☒ summons
 - b. ☒ complaint
 - c. ☒ Alternative Dispute Resolution (ADR) package
 - d. ☐ Civil Case Cover Sheet (served in complex cases only)
 - e. ☐ cross-complaint
 - f. ☒ other (specify documents): NOTICE TO PLAINTIFF; (BLANK) CASE MANAGEMENT STATEMENT
3. a. Party served: (specify name of party as shown on documents served):
CALIFORNIA PACIFIC MEDICAL CENTER
 b. ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made)(specify name and relationship to the party named in item 3a): **THERESA CARNEY, ACCEPTED SERVICE OF PROCESS ON BEHALF OF CALIFORNIA PACIFIC MEDICAL CENTER**
4. Address where the party was served:
3801 SACRAMENTO STREET, #729C, SAN FRANCISCO, CA 94103
5. I served the party (check proper box)
 - a. ☒ by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **10-26-07** (2) at (time): **4:08PM**
 - b. ☐ by substituted service. On (date): _____ at (time): _____ I left the documents listed in item 2 with or in the presence of (name and title or relationship to the person indicated in item 3b):
 - (1) ☐ (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) ☐ (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) ☐ (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on

(date):

(city):

or ☐ a declaration of mailing is attached.(5) ☐ I attach a declaration of diligence stating actions taken first to attempt personal service.c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,

(1) (date):

(2) (city):

(3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* (form 982(a)(4)) and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt* (form 982(a)(4)).) (Code Civ. Proc., § 415.30.)(4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)d. ☐ by other means (specify means of service and authorizing code section):☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

a. ☐ as an individual defendantb. ☐ as the person sued under the fictitious name of (specify):c. ☐ as occupantd. ☒ on behalf of (specify): **CALIFORNIA PACIFIC MEDICAL CENTER**

under the following Code of Civil Procedure section:

☐ 416.10 (corporation)☒ 415.95 (business organization, form unknown)☐ 416.20 (defunct corporation)☐ 416.60 (minor)☐ 416.30 (joint stock company/association)☐ 416.70 (ward or conservatee)☐ 416.40 (association or partnership)☐ 416.90 (authorized person)☐ 416.50 (public entity)☐ 415.46 (occupant)☐ other:

7. Person who served papers

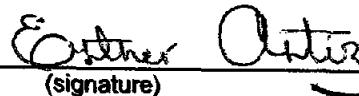
a. Name: **ESTHER ORTIZ**b. Address: **NATIONWIDE LEGAL, INC.****1255 POST STREET, SUITE #500, SAN FRANCISCO, CA 94109**c. Telephone number: **(415) 351-0400**

d. The fee for service was: \$

e. I am:

(1) ☐ not a registered California process server.(2) ☐ exempt from registration under Business and Professions Code section 22350(b).(3) ☒ registered California process server:(i) ☐ owner ☒ employee ☐ independent contractor(ii) Registration No.: **675**(iii) County: **SAN FRANCISCO**8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Or9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.Date: **OCTOBER 26, 2007****ESTHER ORTIZ**

Name of person who served papers/Sheriff or Marshal


(signature)

ATTORNEY OR PARTY WITHOUT ATTORNEY (name and Address) LAWRENCE J. GORNICK (SBN 136290) LEVIN SIMES KAISER & GORNICK 44 MONTGOMERY STREET, SUITE 3600 SAN FRANCISCO, CA 94104 TELEPHONE NO.: (415) 646-7160 FAX NO. (Optional): (415) 981-1270 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): PLAINTIFFS		ENDORSED FILED SUPERIOR COURT COUNTY OF SAN FRANCISCO NOV 7 2007 GORDON PARK-LI, CLERK
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 MCALLISTER STREET MAILING ADDRESS: CITY AND ZIP CODE: SAN FRANCISCO, CA 94102 BRANCH NAME:		BY: _____ Deputy Clerk
PLAINTIFF/PETITIONER: PETER JAY GERBER and MIRIAM GOLDBERG DEFENDANT/RESPONDENT: BAYER CORPORATION and BAYER HEALTHCARE PHARMACEUTICALS, INC., et al.		CASE NUMBER: CGC-07-468577
PROOF OF SERVICE OF SUMMONS		Ref. No. or File No.: 3003605
DATE:	TIME:	DEPT:

(Separate proof of service is required for each party server.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of :
 - a. ☒ summons
 - b. ☒ complaint
 - c. ☒ Alternative Dispute Resolution (ADR) package
 - d. ☐ Civil Case Cover Sheet (served in complex cases only)
 - e. ☐ cross-complaint
 - f. ☒ other (specify documents): NOTICE TO PLAINTIFF; (BLANK) CASE MANAGEMENT STATEMENT
3. a. Party served: (specify name of party as shown on documents served):
MCKESSON CORPORATION
 b. ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made)(specify name and relationship to the party named in item 3a): **BECKY DEGEORGE, PROCESS SPECIALIST, CSC LAWYERS, INC., REGISTERED AGENT FOR SERVICE OF PROCESS ON BEHALF OF MCKESSON CORPORATION**
4. Address where the party was served:
2730 GATEWAY OAKS DRIVE, SUITE 100, SACRAMENTO, CA 95833
5. I served the party (check proper box)
 - a. ☒ by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **10-26-07** (2) at (time): **2:50PM**
 - b. ☐ by substituted service. On (date): _____ at (time): _____. I left the documents listed in item 2 with or in the presence of (name and title or relationship to the person indicated in item 3b):
 - (1) ☐ (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) ☐ (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) ☐ (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served

at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on
(date): (city): or ☐ a declaration of mailing is attached.

(5) ☐ I attach a declaration of diligence stating actions taken first to attempt personal service.

c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,

(1) (date):

(2) (city):

(3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* (form 982(a)(4)) and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt* (form 982(a)(4)).) (Code Civ. Proc., § 415.30.)

(4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)

d. ☐ by other means (specify means of service and authorizing code section):

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

a. ☐ as an individual defendant

b. ☐ as the person sued under the fictitious name of (specify):

c. ☐ as occupant

d. ☒ on behalf of (specify): **MCKESSON CORPORATION**

under the following Code of Civil Procedure section:

☐ 416.10 (corporation)

☒ 415.95 (business organization, form unknown)

☐ 416.20 (defunct corporation)

☐ 416.60 (minor)

☐ 416.30 (joint stock company/association)

☐ 416.70 (ward or conservatee)

☐ 416.40 (association or partnership)

☐ 416.90 (authorized person)

☐ 416.50 (public entity)

☐ 415.46 (occupant)

☐ other:

7. Person who served papers

a. Name: **GUILLERMO TALAMANTES**

b. Address: **NATIONWIDE LEGAL, INC.**

1255 POST STREET, SUITE #500, SAN FRANCISCO, CA 94109

c. Telephone number: **(415) 351-0400**

d. The fee for service was: \$

e. I am:

(1) ☐ not a registered California process server.

(2) ☐ exempt from registration under Business and Professions Code section 22350(b).

(3) ☒ registered California process server:

(i) ☐ owner ☒ employee ☐ independent contractor

(ii) Registration No.: **2001-23**

(iii) County: **SACRAMENTO**

8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Or

9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: **OCTOBER 26, 2007**

GUILLERMO TALAMANTES

Name of person who served papers/Sheriff or Marshal

(signature)

ATTORNEY OR PARTY WITHOUT ATTORNEY (name and Address) LAWRENCE J. GORNICK (SBN 136290) LEVIN SIMES KAISER & GORNICK 44 MONTGOMERY STREET, SUITE 3600 SAN FRANCISCO, CA 94104 TELEPHONE NO.: (415) 646-7160 FAX NO. (Optional): (415) 981-1270 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): PLAINTIFFS		FOR COURT USE ONLY ENDORSED FILED SUPERIOR COURT COUNTY OF SAN FRANCISCO NOV 7 2007 GORDON PARK-LI, CLERK BY: _____ Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 MCALLISTER STREET MAILING ADDRESS: CITY AND ZIP CODE: SAN FRANCISCO, CA 94102 BRANCH NAME:		CASE NUMBER: CGC-07-468577
PLAINTIFF/PETITIONER: PETER JAY GERBER and MIRIAM GOLDBERG DEFENDANT/RESPONDENT: BAYER CORPORATION and BAYER HEALTHCARE PHARMACEUTICALS, INC., et al.		Ref. No. or File No.: 3003602
PROOF OF SERVICE OF SUMMONS		
DATE:	TIME:	DEPT:

(Separate proof of service is required for each party server.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of :
 - a. ☒ summons
 - b. ☒ complaint
 - c. ☒ Alternative Dispute Resolution (ADR) package
 - d. ☐ Civil Case Cover Sheet (served in complex cases only)
 - e. ☐ cross-complaint
 - f. ☒ other (specify documents): NOTICE TO PLAINTIFF; (BLANK) CASE MANAGEMENT
- STATEMENT
3. a. Party served: (specify name of party as shown on documents served):
BMC DIAGNOSTICS, INC.
 b. ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made)(specify name and relationship to the party named in item 3a): **PING KHEANG, ACCOUNTS PAYABLE, ACCEPTED SERVICE OF PROCESS ON BEHALF OF BMC DIAGNOSTICS, INC.**
4. Address where the party was served:
2000 POWELL STREET, SUITE 1050, EMERYVILLE, CA 94608
5. I served the party (check proper box)
 - a. ☒ by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **10-26-07** (2) at (time): **2:55PM**
 - b. ☐ by substituted service. On (date): _____ at (time): _____. I left the documents listed in item 2 with or in the presence of (name and title or relationship to the person indicated in item 3b): _____
 - (1) ☐ (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) ☐ (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) ☐ (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on _____

(date):

(city):

or ☐ a declaration of mailing is attached.(5) ☐ I attach a declaration of diligence stating actions taken first to attempt personal service.c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,

(1) (date):

(2) (city):

(3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* (form 982(a)(4)) and a postage-paid return envelope addressed to me. (*Attach completed Notice and Acknowledgment of Receipt (form 982(a)(4)).*) (Code Civ. Proc., § 415.30.)(4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)d. ☐ by other means (specify means of service and authorizing code section):☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

a. ☐ as an individual defendantb. ☐ as the person sued under the fictitious name of (specify):c. ☐ as occupantd. ☒ on behalf of (specify): **BMC DIAGNOSTICS, INC.**

under the following Code of Civil Procedure section:

☐ 416.10 (corporation)☒ 415.95 (business organization, form unknown)☐ 416.20 (defunct corporation)☐ 416.60 (minor)☐ 416.30 (joint stock company/association)☐ 416.70 (ward or conservatee)☐ 416.40 (association or partnership)☐ 416.90 (authorized person)☐ 416.50 (public entity)☐ 415.46 (occupant)☐ other:

7. Person who served papers

a. Name: **ORLANDO MARTINEZ**b. Address: **NATIONWIDE LEGAL, INC.****1255 POST STREET, SUITE #500, SAN FRANCISCO, CA 94109**c. Telephone number: **(415) 351-0400**

d. The fee for service was: \$

e. I am:

(1) ☐ not a registered California process server.(2) ☐ exempt from registration under Business and Professions Code section 22350(b).(3) ☒ registered California process server:(i) ☒ owner ☐ employee ☐ independent contractor(ii) Registration No.: **2005-929**(iii) County: **SAN FRANCISCO**8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Or

9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.Date: **OCTOBER 26, 2007****ORLANDO MARTINEZ**

Name of person who served papers/Sheriff or Marshal

(signature)

ATTORNEY OR PARTY WITHOUT ATTORNEY (name and Address) LAWRENCE J. GORNICK (SBN 136290) LEVIN SIMES KAISER & GORNICK 44 MONTGOMERY STREET, SUITE 3600 SAN FRANCISCO, CA 94104 TELEPHONE NO.: (415) 646-7160 FAX NO. (Optional): (415) 981-1270 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): PLAINTIFFS		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 MCALLISTER STREET MAILING ADDRESS: CITY AND ZIP CODE: SAN FRANCISCO, CA 94102 BRANCH NAME:		
PLAINTIFF/PETITIONER: PETER JAY GERBER and MIRIAM GOLDBERG DEFENDANT/RESPONDENT: BAYER CORPORATION and BAYER HEALTHCARE PHARMACEUTICALS, INC., et al.		CASE NUMBER: CGC-07-468577
PROOF OF SERVICE OF SUMMONS		Ref. No. or File No.: 3003604
DATE:	TIME:	DEPT:

(Separate proof of service is required for each party server.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of :
 - a. ☒ summons
 - b. ☒ complaint
 - c. ☒ Alternative Dispute Resolution (ADR) package
 - d. ☐ Civil Case Cover Sheet (served in complex cases only)
 - e. ☐ cross-complaint
 - f. ☒ other (specify documents): NOTICE TO PLAINTIFF; (BLANK) CASE MANAGEMENT STATEMENT
3. a. Party served: (specify name of party as shown on documents served):
BAYER HEALTHCARE PHARMACEUTICALS, INC.
 b. ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made)(specify name and relationship to the party named in item 3a): **BECKY DEGEORGE, PROCESS SPECIALIST, CSC LAWYERS, INC., REGISTERED AGENT FOR SERVICE OF PROCESS ON BEHALF OF BAYER HEALTHCARE PHARMACEUTICALS, INC.**
4. Address where the party was served:
2730 GATEWAY OAKS DRIVE, SUITE 100, SACRAMENTO, CA 95833
5. I served the party (check proper box)
 - a. ☒ by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **10-26-07** (2) at (time): **2:50PM**
 - b. ☐ by substituted service. On (date): _____ at (time) _____ I left the documents listed in item 2 with or in the presence of (name and title or relationship to the person indicated in item 3b):
 - (1) ☐ (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) ☐ (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) ☐ (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served

at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on
 (date): (city): or ☐ a declaration of mailing is attached.

(5) ☐ I attach a declaration of diligence stating actions taken first to attempt personal service.

c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid.

(1) (date):

(2) (city):

(3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* (form 982(a)(4)) and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt* (form 982(a)(4)).) (Code Civ. Proc., § 415.30.)

(4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)

d. ☐ by other means (specify means of service and authorizing code section):

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

a. ☐ as an individual defendant

b. ☐ as the person sued under the fictitious name of (specify):

c. ☐ as occupant

d. ☒ on behalf of (specify): **BAYER HEALTHCARE PHARMACEUTICALS, INC.**

under the following Code of Civil Procedure section:

☐ 416.10 (corporation)

☒ 415.95 (business organization, form unknown)

☐ 416.20 (defunct corporation)

☐ 416.60 (minor)

☐ 416.30 (joint stock company/association)

☐ 416.70 (ward or conservatee)

☐ 416.40 (association or partnership)

☐ 416.90 (authorized person)

☐ 416.50 (public entity)

☐ 415.46 (occupant)

☐ other:

7. Person who served papers

a. Name: **GUILLERMO TALAMANTES**

b. Address: **NATIONWIDE LEGAL, INC.**

1255 POST STREET, SUITE #500, SAN FRANCISCO, CA 94109

c. Telephone number: **(415) 351-0400**

d. The fee for service was: \$

e. I am:

(1) ☐ not a registered California process server.

(2) ☐ exempt from registration under Business and Professions Code section 22350(b).

(3) ☒ registered California process server:

(i) ☐ owner ☒ employee ☐ independent contractor

(ii) Registration No.: **2001-23**

(iii) County: **SACRAMENTO**

8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
 Or

9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: **OCTOBER 26, 2007**

GUILLERMO TALAMANTES

Name of person who served papers/Sheriff or Marshal

(signature)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address) LAWRENCE J. GORNICK (SBN 136290) LEVIN SIMES KAISER & GORNICK 44 MONTGOMERY STREET, SUITE 3600 SAN FRANCISCO, CA 94104 TELEPHONE NO.: (415) 646-7160 FAX NO. (Optional): (415) 981-1270 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): PLAINTIFFS		FOR COURT USE ONLY ENFORCED BY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 MCALLISTER STREET MAILING ADDRESS: CITY AND ZIP CODE: SAN FRANCISCO, CA 94102 BRANCH NAME:		CASE NUMBER: CGC-07-468577
PLAINTIFF/PETITIONER: PETER JAY GERBER and MIRIAM GOLDBERG DEFENDANT/RESPONDENT: BAYER CORPORATION and BAYER HEALTHCARE PHARMACEUTICALS, INC., et al.		Ref. No. or File No.: 3003612
PROOF OF SERVICE OF SUMMONS		
DATE:	TIME:	DEPT:

(Separate proof of service is required for each party server.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of :
 - a. ☒ summons
 - b. ☒ complaint
 - c. ☒ Alternative Dispute Resolution (ADR) package
 - d. ☐ Civil Case Cover Sheet (served in complex cases only)
 - e. ☐ cross-complaint
 - f. ☒ other (specify documents): **NOTICE TO PLAINTIFF; (BLANK) CASE MANAGEMENT**

STATEMENT

3. a. Party served: (specify name of party as shown on documents served):
BAYER CORPORATION
 b. ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made)(specify name and relationship to the party named in item 3a): **MARGARET WILSON, PROCESS SPECIALIST, REGISTERED AGENT FOR SERVICE OF PROCESS ON BEHALF OF BAYER CORPORATION**
4. Address where the party was served:
818 WEST 7TH STREET, LOS ANGELES, CA 90017
5. I served the party (check proper box)
 - a. ☒ by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **10-26-07** (2) at (time): **2:45PM**
 - b. ☐ by substituted service. On (date): _____ at (time): _____ I left the documents listed in item 2 with or in the presence of (name and title or relationship to the person indicated in item 3b):
 - (1) ☐ (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) ☐ (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) ☐ (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on _____

(date):

(city):

or ☐ a declaration of ...all is attached.(5) ☐ I attach a declaration of diligence stating actions taken first to attempt personal service.c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,

(1) (date):

(2) (city):

(3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* (form 982(a)(4)) and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt* (form 982(a)(4)).) (Code Civ. Proc., § 415.30.)(4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)d. ☐ by other means (specify means of service and authorizing code section):☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

a. ☐ as an individual defendantb. ☐ as the person sued under the fictitious name of (specify):c. ☐ as occupantd. ☒ on behalf of (specify): **BAYER CORPORATION**

under the following Code of Civil Procedure section:

☐ 416.10 (corporation)☒ 415.95 (business organization, form unknown)☐ 416.20 (defunct corporation)☐ 416.60 (minor)☐ 416.30 (joint stock company/association)☐ 416.70 (ward or conservatee)☐ 416.40 (association or partnership)☐ 416.90 (authorized person)☐ 416.50 (public entity)☐ 415.46 (occupant)☐ other:

7. Person who served papers

a. Name: **CHRISTOPHER PONCE**b. Address: **NATIONWIDE LEGAL, INC.****1255 POST STREET, SUITE #500, SAN FRANCISCO, CA 94109**c. Telephone number: **(415) 351-0400**

d. The fee for service was: \$

e. I am:

(1) ☐ not a registered California process server.(2) ☐ exempt from registration under Business and Professions Code section 22350(b).(3) ☒ registered California process server:(i) ☐ owner ☒ employee ☐ independent contractor(ii) Registration No.: **5484**(iii) County: **LOS ANGELES**8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Or9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: OCTOBER 26, 2007

CHRISTOPHER PONCE

Name of person who served papers/Sheriff or Marshal

(signature)